

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BAHIR SMITH,  
on behalf of himself and all others  
similarly situated,

Plaintiff,

v.

HIRERIGHT SOLUTIONS, INC. and  
USIS COMMERCIAL SERVICES, INC.,

Defendant.

CIVIL ACTION

NO. 09-6007

**FILED**

MAY 12 2010

MICHAEL E. KUNZ, Clerk  
Dep. Clerk

**ORDER**

AND NOW, this 11<sup>th</sup> day of *May*, 2010, upon consideration the Motion to

Dismiss Plaintiff's Complaint by Defendant HireRight Solutions, Inc., f/k/a USIS Commercial Services, Inc. (Docket No. 10), the Response of Plaintiff Bahir Smith (Docket No. 17), and Defendant's Reply Brief (Docket No. 20), it is hereby **ORDERED** that the Motion is **DENIED**. Defendant shall file an Answer to the Complaint within fourteen (14) days from the date of this Order, as provided by Federal Rule of Civil Procedure 12(a)(4)(A).

ENTERED  
MAY 12 2010  
CLERK OF COURT

BY THE COURT:

  
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RONALD L. BUCKWALTER, S.J.